

PREVENTION OF ABUSES OF CUSTOMS PRIVILEGES AT CERTAIN LEASED NAVAL AND AIR BASES

*Exchange of notes at Washington January 18 and February 21, 1946,
supplementing agreement of March 27, 1941*

Entered into force February 21, 1946

*Superseded in part by agreement of February 10, 1961,¹ with the
Federation of The West Indies*

61 Stat. 2637; Treaties and Other
International Acts Series 1592

The British Ambassador to the Acting Secretary of State

BRITISH EMBASSY,
WASHINGTON, D.C.

January 18th, 1946

No. 35
Ref: 265/2/46

SIR,

I have the honour to inform Your Excellency that the Government of the United Kingdom has agreed to the following understanding in respect of paragraph (1) (D) [(d)] of Article XIV of the Agreement for the Use and Operation of Certain Bases which was concluded between the Governments of the United States and of the United Kingdom at London on March 27th, 1941,² insofar as that Agreement relates to bases in Bermuda, in the Caribbean and in British Guiana:

(a) By arrangement with the United States authorities, the Colonial authorities will be shown and have explained to them the administrative measures taken to prevent the unauthorised resale of goods sold under Article XIV (1) (C) and other precautions taken to prevent abuse of customs privileges granted under that Article.

(b) The United States authorities will undertake to ensure that free importation is strictly limited to goods covered by the above-mentioned Agreement and subsequent correspondence and, in particular, that goods outside the interpretation given by the Government of the United Kingdom to Article XIV (1) (D) but within that given to it by the Government of the

¹ 12 UST 408; TIAS 4734.

² EAS 235, *ante*, p. 560.

United States (consumable goods and goods acquired after first arrival) and presents are not admitted free of duty unless they comply with the conditions already agreed, i.e. they must be (i) of United States origin, if the Colonial Government so requires, (ii) imported by (or presents for) United States personnel described in Article XIV (1) (C), and (iii) imported for the personal use of the recipient.

(c) This understanding and these arrangements are subject to and without prejudice to reconsideration of the question *ab initio* in due course.

(d) It is, of course, also understood that the United States will continue to do all in their power to prevent any abuse of customs privileges and that United States authorities will co-operate with the Colonial authorities to this end at every level both in prevention and in investigation of cases where there is evidence of leakage.

2. If the Government of the United States agrees to this understanding, I would suggest that the present Note and Your Excellency's reply to that effect be regarded as placing it on record.

I have the honour to be with the highest consideration, Sir,

Your most obedient humble Servant,

JOHN BALFOUR
(For the Ambassador)

The Honourable DEAN ACHESON,
Acting Secretary of State,
Department of State,
Washington, D.C.

The Secretary of State to the British Ambassador

FEBRUARY 21, 1946

EXCELLENCY:

I have the honor to acknowledge receipt of Your Excellency's note no. 35 of January 18, 1946 (Ref: 265/2/46), stating that the Government of the United Kingdom has agreed to the following understanding in respect of paragraph (1) (D) of Article XIV of the Agreement for the Use and Operation of Certain Bases, which was concluded between the Governments of the United States and of the United Kingdom at London on March 27, 1941, in so far as that Agreement relates to Bases in Bermuda, in the Caribbean and in British Guiana:

[For text of understanding, see paragraphs (a)-(d) in British note, above.]

In reply I have the honor to inform Your Excellency that the Government of the United States agrees with the above understanding and that Your Excellency's note and this reply will be regarded as placing it on record.

Accept, Excellency, the renewed assurances of my highest consideration.

For the Secretary of State:

DONALD RUSSELL

His Excellency

The Right Honorable

THE EARL OF HALIFAX, K.G.,

British Ambassador.